United Nations A/59/PV.91

General Assembly
Fifty-ninth session

Official Records

91st plenary meeting
Wednesday, 13 April 2005, 10 a.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 10.15 a.m.

Reports of the Fifth Committee

The President (*spoke in French*): The General Assembly will now consider the reports of the Fifth Committee on agenda items 108, 108 together with 114, 108 together with 120, 116, 126, 127, 133 and 107.

I request the Rapporteur of the Fifth Committee, Ms. Denisa Hutănová of Slovakia, to introduce in one intervention the reports of the Fifth Committee.

Ms. Hutănová (Slovakia), Rapporteur of the Fifth Committee: I have the honour to introduce to the General Assembly the reports submitted by the Fifth Committee during the first part of the resumed fifty-ninth session.

During the course of its resumed session, from 7 March to 6 April 2005, the Fifth Committee held 10 formal meetings and numerous informal meetings.

With regard to agenda item 107, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", the report of the Fifth Committee is contained in document A/59/652/Add.1. In paragraph 16 of its report, the Fifth Committee recommends to the General Assembly the adoption of three draft resolutions. Draft resolution I is entitled "Report of the Office of Internal Oversight Services on strengthening the investigation functions in the United Nations". Draft resolution II is entitled "Procurement reform". Draft resolution III is entitled "Outsourcing practices". All three draft resolutions were adopted without a vote. In paragraph 17 of the same report, the Committee also recommends to the General Assembly the adoption of a draft decision entitled "Questions deferred for future consideration", which was also adopted without a vote.

With regard to agenda item 108, entitled "Programme budget for the biennium 2004-2005", the report of the Fifth Committee is contained in document A/59/448/Add.3. In paragraph 12 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution entitled "Special subjects relating to the programme budget for the biennium 2004-2005". The Committee adopted the draft resolution without a vote.

In paragraph 13 of the same report, the Committee also recommends to the General Assembly the adoption of six draft decisions submitted by the Chairman following informal consultations, which the Committee adopted without a vote.

With regard to agenda items 108 and 114, entitled "Programme budget for the biennium 2004-2005" and "Human resources management", respectively, the report of the Fifth Committee is contained in document A/59/774. In paragraph 8 of its report, the Committee recommends to the General Assembly the adoption of a draft decision adopted by the Committee without a vote.

With regard to agenda items 108 and 120, entitled "Programme budget for the biennium 2004-2005" and

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

05-30610 (E)

"Administration of justice at the United Nations", respectively, the report of the Fifth Committee is contained in document A/59/773. In paragraph 11 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

With regard to agenda item 116, entitled "United Nations common system", the report of the Fifth Committee is contained in document A/59/647/Add.1. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft decision entitled "Strengthening of the international civil service". The Committee adopted the draft decision without a vote.

With regard to the draft proposals on the financing of peacekeeping operations, to which I am about to refer, I should like to inform the General Assembly that the Committee adopted all the draft proposals without a vote.

With regard to agenda item 126, entitled "Financing of the United Nations Peacekeeping Force in Cyprus", agenda item 127, entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo", and agenda item 133, entitled "Financing of the United Nations Interim Administration Mission in Kosovo", the reports of the Fifth Committee are contained in documents A/59/770, A/59/771 and A/59/772, respectively.

Before concluding, allow me again to thank delegations for their cooperation in concluding our negotiations, as well as the Chairman of the Fifth Committee, Ambassador Don MacKay of New Zealand, for the noble way in which he guided us through our difficult work. I also wish to thank my fellow Bureau members, with whom working is always an enjoyable experience. On behalf of all of us, I would like to express our thanks to the representatives of the Secretariat.

The President (*spoke in French*): If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee that are before the Assembly today.

It was so decided.

The President (*spoke in French*): Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee, unless the Secretariat is notified otherwise in advance.

I therefore hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Fifth Committee.

Agenda item 108 (*continued*)

Programme budget for the biennium 2004-2005

Report of the Fifth Committee (A/59/448/Add.3)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 12 of its report, as well as six draft decisions recommended by the Committee in paragraph 13 of the same report.

The Assembly will now take a decision on the draft resolution and on draft decisions I to VI.

We turn first to the draft resolution entitled "Special subjects relating to the programme budget for the biennium 2004-2005". The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/282).

The President (*spoke in French*): We turn next to draft decision I, entitled "United Nations Fund for International Partnerships".

The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do the same?

Draft decision I was adopted.

The President (*spoke in French*): Draft decision II is entitled "Construction of additional office facilities at the Economic Commission for Africa in Addis Ababa".

The Fifth Committee adopted draft decision II without a vote. May I take it that the Assembly wishes to do the same?

Draft decision II was adopted.

The President (*spoke in French*): Draft decision III is entitled "Review of the structure and functions of all liaison offices or representation in New York of organizations headquartered elsewhere funded from the regular budget".

The Fifth Committee adopted draft decision III without a vote. May I take it that the Assembly wishes to do the same?

Draft decision III was adopted.

The President (*spoke in French*): Draft decision IV is entitled "Report of the Office of Internal Oversight Services on the review of the operations and management of United Nations libraries".

The Fifth Committee adopted draft decision IV without a vote. May I take it that the Assembly wishes to do the same?

Draft decision IV was adopted.

The President (*spoke in French*): Draft decision V is entitled "Review of the regular programme of technical cooperation and the Development Account".

The Fifth Committee adopted draft decision V without a vote. May I take it that the Assembly wishes to do the same?

Draft decision V was adopted.

The President (*spoke in French*): Draft decision VI is entitled "Standards of accommodation for air travel".

The Fifth Committee adopted draft decision VI without a vote. May I take it that the Assembly wishes to do the same?

Draft decision VI was adopted.

The President (*spoke in French*): I call now on the representative of Cuba, who wishes to speak in explanation of position after the adoption of the resolution and decisions.

Mr. Berti Oliva (Cuba) (*spoke in Spanish*): My delegation is taking the floor with regard to the draft decisions entitled "Review of the regular programme of technical cooperation and the Development Account" and "Standards of accommodation for air travel".

With regard to draft decision V, entitled "Review of the regular programme of technical cooperation and the Development Account", my delegation would like to say that is regrets that it was not possible to discuss that matter during the Fifth Committee's first resumed session. In that connection, and given the importance that my country attaches to the subject, we reaffirm our interest in addressing it as soon as possible. We wish to reiterate our position that, if we are not able to take up that matter during the second resumed session next May, the question should be considered outside the budgetary framework. We also wish to reiterate that, so long as there is no General Assembly decision on the proposals made by the Secretary-General in his report contained in document A/59/397, including the proposal pertaining to combining sections 23 and 35 of the budget, the understanding of our delegation is that, during the budgetary exercise, the current two sections of the budget will be presented instead of one section with two parts, as suggested in the Secretary-General's report.

With regard to the decision entitled "Standards of accommodation for air travel", my delegation would like to reiterate my country's position that we need relevant and detailed information in order to take decisions, especially if a change in policy or the elimination of current policy is involved. We would like to say that, when preparing its next report on this subject, the Secretariat should take into account the recommendations and observations of the report of the Advisory Committee on Administrative and Budgetary Questions contained in document A/59/573, as well as the recommendations made during informal consultations. We must have a more detailed report that provides Member States with more information on

flight itineraries, that identifies the sources of funding for exceptions granted and that takes into account the new realities of recent years regarding conditions for air travel.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 108.

Agenda items 108 and 114 *(continued)*

Programme budget for the biennium 2004-2005

Human resources management

Report of the Fifth Committee (A/59/774)

The President (*spoke in French*): The Assembly has before it a draft decision recommended by the Fifth Committee in paragraph 8 of its report.

The Assembly will now take a decision on the draft decision, entitled "Recruitment".

The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda items 108 and 114.

Agenda items 108 (*continued*) and 120

Programme budget for the biennium 2004-2005

Administration of justice at the United Nations

Report of the Fifth Committee (A/59/773)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 11 of its report.

The Assembly will now take a decision on the draft resolution, entitled "Administration of justice at the United Nations".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/283).

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 108.

May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 120?

It was so decided.

Agenda item 116 (*continued*)

United Nations common system

Report of the Fifth Committee (A/59/647/Add.1)

The President (*spoke in French*): The Assembly has before it a draft decision recommended by the Fifth Committee in paragraph 6 of its report.

We will now take a decision on the draft decision, entitled "Strengthening of the international civil service".

The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 116.

Agenda item 126

Financing of the United Nations Peacekeeping Force in Cyprus

Report of the Fifth Committee (A/59/770)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 7 of its report.

The Assembly will now take a decision on the draft resolution. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/284).

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 126.

Agenda item 127

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Fifth Committee (A/59/771)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report.

The Assembly will now take a decision on the draft resolution. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 59/285).

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 127.

Agenda item 133

Financing of the United Nations Interim Administration Mission in Kosovo

Report of the Fifth Committee (A/59/772)

The President (*spoke in French*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 8 of its report.

The Assembly will now take a decision on the draft resolution. The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 59/286).

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 133.

Agenda item 107 (*continued*)

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/59/652/Add.1)

The President (*spoke in French*): The Assembly has before it three draft resolutions recommended by the Fifth Committee in paragraph 16 of its report and a draft decision recommended by the Committee in paragraph 17 of the same report.

We will now take a decision on draft resolutions I to III and on the draft decision.

Draft resolution I is entitled "Report of the Office of Internal Oversight Services on strengthening the investigation functions in the United Nations".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 59/287).

The President (*spoke in French*): Draft resolution II is entitled "Procurement reform".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 59/288).

The President (*spoke in French*): Draft resolution III is entitled "Outsourcing practices".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 59/289).

The President (*spoke in French*): The draft decision is entitled "Questions deferred for future consideration".

The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 107.

The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

Agenda item 8 (*continued*)

Organization of work, adoption of the agenda and allocation of items

The President (*spoke in French*): Members will recall that, at its 2nd plenary meeting, on 17 September 2004, the General Assembly decided to allocate agenda item 148 to the Sixth Committee. In order for the General Assembly to take up expeditiously the report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (A/59/766) and the draft resolution contained therein, may I take it that the General Assembly wishes to consider agenda item 148 directly in plenary meeting?

It was so decided.

The President (*spoke in French*): May I further take it that the Assembly agrees to proceed immediately to the consideration of agenda item 148?

It was so decided.

The President (*spoke in French*): We shall now proceed accordingly.

Agenda item 148 (*continued*)

Measures to eliminate international terrorism

Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (A/59/766)

Draft resolution (A/59/766, para. 3)

The President (*spoke in French*): Members will recall that in paragraph 22 of its resolution 59/46 of 2 December 2004, the General Assembly requested the Ad Hoc Committee to report to the Assembly at its fifty-ninth session in the event of the completion of the draft comprehensive convention on international terrorism or the draft international convention for the suppression of acts of nuclear terrorism.

In that connection, the Assembly now has before it a draft resolution entitled "International Convention for the Suppression of Acts of Nuclear Terrorism", recommended by the Ad Hoc Committee in paragraph 3 of its report.

The Assembly will now take a decision on the draft resolution entitled "International Convention for the Suppression of Acts of Nuclear Terrorism", recommended by the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, in paragraph 3 of its report (A/59/766).

May I take it that the Assembly decides to adopt the draft resolution?

The draft resolution was adopted (resolution 59/290).

The President (*spoke in French*): I have received a number of requests for the floor in explanation of position on the resolution just adopted. Before giving the floor to speakers in explanation of position, I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Holliday (United States of America): The United States welcomes the achievement of the General Assembly in concluding its work on the International Convention for the Suppression of Acts of Nuclear Terrorism and adopting it by consensus. By its action today, the General Assembly has shown that, when it has the political will, it can play an important role in the global fight against terrorism.

The Nuclear Terrorism Convention, when it enters into force, will strengthen the international legal framework to combat terrorism. It will do so along with the 12 existing international terrorism conventions and protocols. The Convention will provide a legal basis for international cooperation in the investigation, prosecution and extradition of those who commit terrorist acts involving radioactive material or a nuclear device.

Seven years ago, the Russian Federation took the initiative of proposing this important Convention, which addresses the particularly horrible consequences that acts of nuclear terrorism could entail. Our Russian colleagues are to be commended for re-energizing States members of the General Assembly last fall and moving the process forward. A number of other

countries should also be recognized for proposing compromises and demonstrating the flexibility and creativity that are required to make consensus possible. In particular, we note the contributions of Egypt, Mexico and Pakistan.

President Bush and Russian President Putin called for the early adoption of this Convention in their 24 February joint statement in Bratislava on nuclear security cooperation, as did the Secretary-General in his 21 March report entitled "In larger freedom" (A/59/2005). We are pleased that Member States demonstrated a seriousness of purpose and worked together in this multilateral setting to conclude the Convention and thereby send an undeniably clear signal that the international community will not tolerate those that threaten or commit terrorist acts involving radioactive material or nuclear devices.

Mr. Vohidov (Uzbekistan), Vice-Chairman, took the Chair.

The Nuclear Terrorism Convention recognizes the right of all States to develop and apply nuclear energy for peaceful purposes. That right, of course, is predicated on ensuring that development of nuclear energy for peaceful purposes is not used as a cover for nuclear proliferation. Security Council resolution 1540 (2004), adopted unanimously in April 2004, as well as other resolutions adopted by United Nations Member States in other forums, affirm that, and we are pleased that it appears well understood by the international community generally and by those involved in bringing this Convention forward.

The Nuclear Terrorism Convention adopted today by consensus is the first counter-terrorism convention adopted by the General Assembly since the terrorist attacks of 11 September 2001. We call on Member States to build on the success of this effort and to work cooperatively to conclude the still-outstanding comprehensive convention on international terrorism.

Finally, with respect to the Nuclear Terrorism Convention, our work is not yet finished. If the Convention is to have meaning, we need to bring the results of our work into force. We urge Member States to sign the Convention when it is opened for signature in September and to ratify it and implement it as soon as possible.

Miss Ramoutar (Trinidad and Tobago): The Group of Latin American and Caribbean States, on whose behalf I am making this statement, welcomes the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. We are proud of our accomplishment today. This is the third instrument on terrorism that has been successfully completed by the Ad Hoc Committee since it began its work some eight years ago. We are of the view that terrorism can be properly addressed only through the coordinated response of the international community, conducted in accordance with the principles of international law. In that regard, we wish to stress the General Assembly's essential role in the development of international law.

The Convention will fill an important lacuna in the body of international conventions that seek to establish a criminal law regime to deal adequately with acts of terrorism. We urge States members of the international community to undertake the measures necessary to ensure the early entry into force of the Convention.

The draft convention on nuclear terrorism, which was a proposal of the delegation of the Russian Federation, was the subject of lengthy discussions by delegations and, at times, we had the impression that success was elusive. We thank the Russian Federation for bringing this proposal to the Ad Hoc Committee.

We wish to recognize the work of the coordinator of the informal consultations on the Convention, Mr. Albert Hoffman of South Africa, and we thank him and congratulate him on his untiring efforts and diplomatic skills in our negotiations, which were crucial in bringing us to this significant achievement today.

We also pay tribute to the Chairman of the Ad Hoc Committee, Ambassador Rohan Perera of Sri Lanka, for his astute guidance and leadership of the work of the Committee and for his role in leading us to this success. We also acknowledge the work of the previous Chair and coordinators.

We recognize the fact that today's success would not have been possible without the willingness of several delegations to put aside their political differences in order to ensure a successful outcome. We appreciate their great flexibility, which enabled us to conclude the draft Convention. We recognize also that a proposal by the Mexican delegation some two years ago contributed substantially to progress in the negotiations.

While we celebrate our achievement today, we must bear in mind that the General Assembly must still conclude the negotiation of the draft comprehensive convention on terrorism. In this regard, we note that

the last meeting of the Ad Hoc Committee examined exhaustively the elements for a definition of terrorism proposed in the report of the High-level Panel and in the Secretary-General's report "In larger freedom", and that the Committee found that those suggestions were already properly reflected in the draft convention being considered by the Ad Hoc Committee. We believe that such a definition must be a technical legal concept, suitable for a criminal law instrument, and not a broad political statement. In that context, we are convinced that the Ad Hoc Committee and its sister Working Group of the Sixth Committee are the appropriate expert bodies to negotiate a broadly acceptable definition of the crime of terrorism.

We are confident that the negotiations on the draft comprehensive convention on terrorism can achieve a positive result within the time-frame suggested by the Secretary-General, that is, before the end of the sixtieth session of the General Assembly. We encourage all States to demonstrate the necessary political will and flexibility in our future negotiations on this draft convention so that we may resolve the outstanding issues. This would further strengthen the corpus of international law in this area and contribute to the global efforts to eradicate the scourge of terrorism.

In closing, I wish to reiterate the commitment of the Latin American and Caribbean Group to the fight against terrorism.

Mr. Hoscheit (Luxembourg) (*spoke in French*): I have the honour to take the floor on behalf of the European Union. The candidate countries Bulgaria, Romania and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania and Serbia and Montenegro, as well as the European Free Trade Association countries members of the European Economic Area Iceland and Norway, associate themselves with this statement.

In his report entitled "In larger freedom: development, security and human rights for all", the Secretary-General has identified several priorities in the fight against terrorism, including the need to complete, without delay, an international convention for the suppression of acts of nuclear terrorism. Early in April, Member States heeded his appeal, to the great satisfaction of the European Union.

The European Union would on this occasion like to thank the Russian Federation in particular for having taken the initiative to submit the draft convention to the Ad Hoc Committee created by resolution 210/51. I should like also to thank all of those who, through their untiring work over recent years, have contributed towards this success, particularly Mr. Albert Hoffman, who was mentioned earlier, and the president of the Ad Hoc Committee, Mr. Rohan Perera.

I should like also to express the hope here that our work on the draft comprehensive convention on international terrorism will continue in the same spirit of constructive cooperation and that it will be brought to a successful conclusion as quickly as possible.

Finally, allow me to congratulate all Member States as we adopt this Convention. Indeed, preventing terrorists from obtaining nuclear material and, towards that end, creating a legal framework that is as complete as possible are invaluable achievements in our common fight against international terrorism.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): The General Assembly has just adopted the international convention for the suppression of acts of nuclear terrorism. This decision is aimed at strengthening the international legal framework for the suppression of acts of nuclear terrorism and has particularly important political and legal consequences. This is the first time that an anti-terrorist convention has been elaborated not after the fact but, rather, before the commission of any terrorist act criminalized by this Convention — that is, any criminal act involving the use of nuclear material or other radioactive substances. In an environment in which there is unrelenting escalation in the threat of international terrorism, which is resorting to unprecedented levels of violence and using increasingly sophisticated methods, it is vital to continue to expand the arsenal of anti-terrorist measures and not to leave the slightest loophole for immunity for terrorist acts.

The adoption of this Convention provides a solid legal basis for increasing the level of international cooperation in areas pivotal to the two most serious contemporary problems: the fight against terrorism and the proliferation of weapons of mass destruction. The Convention's provisions provide anti-terrorist protection for both civilian and military installations; criminalizes those persons responsible for carrying out acts of nuclear terrorism, on the basis of the principle of "extradite or prosecute"; and provides a mechanism for the return of seized radioactive substances, nuclear material or devices to the States parties to which they belong. We believe that the provisions of the Convention must be implemented with strict respect for the norms of international law, including the protection of human rights and respect for international humanitarian law.

The Russian Federation, which in 1997 submitted to the United Nations a draft resolution on the fight against nuclear terrorism, is particularly gratified by the successful completion of many years of difficult work on a problem with which we have been grappling for almost 10 years. We deem important the fact that, despite seemingly unresolvable disagreements, we have, at the end of the day, been able to adopt this Convention by consensus.

The Convention's effective implementation now depends directly on the consistent and full implementation of its provisions. We hope that, once it is opened for signature on 14 September this year, it will obtain the required 22 signatures for its implementation and be added to the existing anti-terrorist conventions.

We believe that this Convention also represents an important element in the strategy to counteract new threats and challenges that the Russian Federation has proposed be established under the auspices of the United Nations.

Furthermore, in adopting the Convention, we have demonstrated the capacity and determination of the States Members of the United Nations to adapt the Organization to contemporary realities and to current security requirements.

In conclusion, I should like to congratulate all delegations on the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which is our common achievement, as well as on the constructive approach taken and the useful contributions made in the course of its elaboration.

Mr. Aboul Atta (Egypt) (*spoke in Arabic*): The delegation of Egypt welcomes the adoption of the International Convention on the Suppression of Acts of Nuclear Terrorism as an outstanding accomplishment of the United Nations. We would like to express appreciation to the delegation of the Russian Federation for its initiative, and to commend all Member States for this achievement, which underscores once again the central, effective role of the General Assembly in support of international efforts to combat terrorism, in particular by providing the necessary instruments to promote international cooperation in this field.

We would like to take this opportunity to underline a number of points. First, paragraph 1 of article 4 of the Convention affirms that, in implementing the provisions of the Convention, States should abide by international law as applicable to armed conflict, in particular the principles and rules of international humanitarian law.

Our interest in this issue prompted us to propose the inclusion, in the preambular part, of a reaffirmation of those elements. Despite the support that our proposal received from a number of delegations, we realized that it might prolong the negotiations and therefore withdrew the proposal so as to ensure that the Convention could be adopted during the current session of the General Assembly, bearing in mind the content of paragraph 1 of article 4.

Secondly, as we join the consensus today on the text of the Convention, we would like to emphasize that terrorist acts are criminal acts, whether they are committed by States or by non-State actors. The exclusion of armed forces from the scope of the Convention should not be interpreted to mean that acts by States cannot be considered terrorist acts even in cases where such acts are criminalized under other international, criminal or humanitarian legal regimes. Since, from a legal perspective, terrorism is not limited to non-State actors, States are capable of committing terrorist acts.

Mr. Atiyanto (Indonesia): My delegation believes that the adoption of the Convention on the Suppression of Acts of Nuclear Terrorism signals the unity and determination of the international community to eliminate terrorism in all its forms and manifestations. The significance of the Convention lies in the fact that it will prevent individuals or groups of people from gaining access to radioactive or nuclear materials that may be used to provoke a state of terror in the public domain. It will accomplish that end by obligating States to either prosecute or extradite individuals who are guilty of criminal acts within the scope of the Convention, involving the use of dangerous nuclear materials.

Along with the 12 existing conventions addressing various acts terrorism, this treaty will strengthen and make more comprehensive the international legal framework designed to counteract international terrorism. In that light, Indonesia would like to take this opportunity to express its gratitude to the Government of the Russian Federation for its 1998 initiative to bring this issue to the attention of States Members of the United Nations for their consideration and follow-up action. That initiative paved the way for the Convention that has just been adopted.

My delegation believes that the conclusion of the Convention will further improve the means available to the international community to combat international terrorism as commonly conceived and understood by

United Nations Member States. However, true effectiveness in combating this scourge will result not only from reacting to its symptoms but from gaining a full understanding of the nature of the problem and seeking to eliminate its underlying causes.

Indonesia is convinced that, because terrorism is a danger to all nations, enlightened self-interest must compel them to act in concert to deal with the challenge. Evidence of this solidarity must be reflected in a willingness to commit the necessary resources to build the international community's capacity to adequately respond to this global threat with due respect for international law and human rights.

As a nation that has been an unfortunate victim of terrorist acts, Indonesia has always been consistent in its condemnation of international terrorism and has displayed its willingness to cooperate at all levels to combat the problem.

In this regard, given the sophistication and borderless nature of terrorism, it is extremely important that international cooperation should be a salient feature of the global strategy to combat terrorism. International cooperation will allow the problem to be thoroughly engaged and, ultimately, resolved. Such cooperation must also be conducted in many different fields, including the scientific and economic fields, so that the potential for nuclear terrorism is completely undermined and nuclear terrorism itself criminalized.

Let me now turn briefly to the negotiation process for the Convention, which was conducted within the Ad Hoc Committee established by resolution 51/210. The decision by the General Assembly to establish such a committee on an ad hoc basis has proved quite effective. In this regard, the existence and operation of the Ad Hoc Committee served to keep the General Assembly at the forefront of the multilateral negotiation process to combat the problem.

It took seven years of intensive, fruitful negotiation, which benefited considerably from informal consultations: a formula which helped to narrow the differences in position among States as they sought consensus on various matters. This open-ended approach enabled States to exercise flexibility when considering different proposals made during the formal negotiation process.

We also note that two other treaties addressing different aspects of terrorism — the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism — were also concluded by a comparable process in the Ad Hoc Committee.

In conclusion, Indonesia believes that the current negotiating forum should continue to be used to complete a comprehensive Convention. Indonesia therefore urges States to exercise flexibility with a view to achieving consensus and facilitating the early conclusion of the final text. In this regard, the convening of an international conference, under the auspices of the United Nations, to define terrorism will serve to advance the process of negotiation.

Mr. Chimphamba (Malawi): It is my honour to address the Assembly on behalf of the African Union.

It is of great historical significance that, after more than seven years of efforts, we have been able to mobilize our collective political will to adopt the draft Convention on the Suppression of Acts of Nuclear Terrorism. This is, indeed, a very fitting present for the sixtieth birthday of the United Nations.

The adoption of the draft Convention reaffirms the pivotal role of the General Assembly in combating terrorism to facilitate the promotion and maintenance of international peace and security.

Furthermore, we appreciate the foresight and the commitment that informed the Russian Federation's initiation of the draft convention. The African Group particularly wishes to express its gratitude to the Russian Federation for proposing the draft text of the Convention and thanks the delegations of Pakistan, the United States, Egypt, Iran and Cuba for the flexibility they demonstrated during the negotiation stage. That spirit of compromise and cooperation was a guiding light for those that opted to withdraw their proposals, thus making finalization of this instrument possible.

By adopting this legal instrument, the Committee reaffirmed the pivotal role that the General Assembly plays as the principal deliberative organ in the establishment of legal norms to eliminate terrorism. This instrument strengthens the existing legal arsenal and complements the provisions of conventions to fight terrorism. The adoption of this international Convention comes at a crucial time for the United Nations and responds to the appeal made by the international community and by the Secretary-General.

The African Group hopes that the draft comprehensive convention on international terrorism initiated by India will also achieve a positive outcome soon. In that regard, our Group stands ready to make its

contribution towards overcoming persistent divergent opinions in order to obtain a consensus text.

In conclusion, I wish to underscore Africa's commitment to the fight against terrorism, which commitment is eloquently illustrated by the 1999 Convention on Preventing and Combating Terrorism and implementation of the 2002 plan of action, as well as the creation of the African Centre for Study and Research on Terrorism.

With regard to the present Convention, we are overjoyed by the essential contribution made by Africa through the coordinator, who is from South Africa, and the representative of Morocco, Chairman of the Fifth Committee, who both made a considerable contribution to the success of the Committee's work.

Mr. Sen (India): India attaches great importance to today's adoption of the Convention for the Suppression of Acts of Nuclear Terrorism. We congratulate the Chairman of the Ad Hoc Committee on terrorism, Mr. Rohan Perera, on successfully guiding the work of the Committee in concluding the Nuclear Terrorism Convention.

We express our deep appreciation to the Russian Federation for initiating the draft convention. The enthusiasm and energy its delegation imparted to the negotiations over the last year led us to the finalization and conclusion of the Convention that we have adopted today. We also thank the delegation of Mexico for submitting a proposal that enabled Member States to reach agreement on the Convention within the Ad Hoc Committee.

We attach high priority to the formulation of international legal standards to combat terrorism. By adopting the Convention today, the General Assembly has demonstrated its resolve to deny terrorists access to nuclear materials and to enhance international cooperation among States to devise and adopt effective practical measures for the prevention of acts of nuclear terrorism and for the prosecution and punishment of the perpetrators of such acts. We note with satisfaction that this international legal instrument on terrorism, which is now the thirteenth convention in that area, also happens to be the first international legal instrument in this sphere adopted by the General Assembly since 11 September 2001. This is the optimal approach to international law-making.

Terrorism constitutes one of the most serious threats to peace, security and human rights. It knows no borders or boundaries. It observes no code of conduct or constraint of religious ideology. Nor is it restrained by the bounds of humanity or civility. It undermines the very foundations of freedom and democracy and endangers the continued existence of open and democratic societies. The international community must remain united and persevere in its collective campaign to root out terrorism. Terrorists try to usurp the role played by secular and democratic nationalist forces, and their reactionary vision can only strengthen reaction, while their brutal anti-humanism dooms them to certain failure.

The importance of the recent statements by the Secretary-General in Madrid and Algiers, in which he referred to the weakness of the international legal framework on terrorism and called upon Member States expeditiously to conclude both the Convention for the Suppression of Acts of Nuclear Terrorism and a comprehensive convention on international terrorism, cannot be overemphasized. The report of the High-level Panel on Threats, Challenges and Change (A/59/565) and the report of the Secretary-General (A/59/2005) presented on 21 March 2005 also highlighted the importance of, and the need for, the early conclusion of both the Convention on Nuclear Terrorism and the comprehensive convention on international terrorism.

We have partially accomplished that task today by adopting the Nuclear Terrorism Convention, which we trust will soon enter into force. The Secretary-General has called upon Member States to conclude negotiations on a comprehensive convention on international terrorism by the sixtieth session of the General Assembly. We hope that Member States will demonstrate the same resolve and flexibility in concluding a comprehensive convention on international terrorism.

Mr. Akram (Pakistan): We welcome the General Assembly's adoption today by consensus of the Convention for the Suppression of Acts of Nuclear Terrorism. We wish to thank the Chairman of the Ad Hoc Committee, Mr. Rohan Perera, and the coordinator, Mr. Albert Hoffman, for their efforts in ensuring the consensus adoption of the Convention. We express our felicitations to the Russian Federation on the conclusion of their important initiative.

Pakistan's commitment to the campaign against terrorism is clear, present, tangible and visible. We fully support the strengthening of the international legal regime to counter all forms of terrorism. The adoption of the Convention will contribute to that objective.

Terrorism utilizing nuclear weapons or nuclear materials is obviously an unacceptable threat: the ultimate nightmare scenario. The Convention clearly delegitimizes the possession of fissionable nuclear material by individuals and other non-State actors if their intention is to cause damage or injury or to carry out terrorist acts.

A number of concerns were raised on some provisions of the draft convention. Pakistan shared some of those concerns. We were specially concerned that paragraph 2 of article 4 could be interpreted as implying that it was permissible in certain cases for States to attack or subvert the nuclear facilities or installations of another State. Therefore, we wished to include in the preamble of the Convention a reference to article 15 of Protocol II to the Geneva Conventions, relating to protection of works and installations containing dangerous forces. We also suggested the addition to the Convention of the following paragraph of clarification:

> "Nothing in this convention shall justify undertaking, encouraging or participating in, directly or indirectly, any action aimed at causing the destruction of, or damage to, any nuclear installation or facility".

However, in response to assurances from the principal sponsors of the Convention that those concerns were clearly covered in the Convention or in existing international law, and in order to facilitate the adoption of the Convention by consensus and advance the campaign against terrorism, Pakistan decided not to press its proposals.

I would like to underline on this occasion that the provisions of the Convention adopted today must be interpreted and applied in a manner that is fully compatible with the requirements of international law applicable in armed conflict, particularly the principles and rules of international humanitarian law.

Secondly, a distinction must be maintained between counter-terrorism and non-proliferation. Discrimination and selectivity against certain States in the field of non-proliferation should not be advanced under the cover of counter-terrorism.

Thirdly, it is our concern that terrorists are more likely to acquire biological and chemical weapons rather than nuclear weapons. which are difficult even for States to develop. We need to address these concerns also, especially through the adoption and implementation of effective verification schemes to ensure compliance with the comprehensive ban on chemical weapons and biological weapons.

Fourthly, for sustained success against terrorism, we need to adopt a comprehensive strategy — one which effectively addresses the root causes of terrorism, such as foreign occupation, denial of self-determination, and political and socio-economic injustices.

Finally, any agreement on a definition of terrorism cannot prejudice the legitimate rights of peoples to struggle against foreign occupation and for self-determination and national liberation, nor can it exclude State terrorism.

A consensus on a definition of terrorism is essential for the finalization of the international convention on terrorism. Pakistan supports the need to convene a high-level conference, under United Nations auspices, to formulate a joint, organized response of the international community to terrorism in all its forms and manifestations.

Mr. Mekdad (Syrian Arab Republic) *(spoke in Arabic)*: I should like to congratulate the President, Mr. Jean Ping, and the States Members of the United Nations on the adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism. As countries and as individuals, we can take pride in this great accomplishment, which was so long awaited and which will enable us to mobilize our collective efforts to guarantee a better future for humankind and for future generations.

The adoption of this Convention is the result of diligent efforts to close all loopholes for terrorists and prevent them from threatening the security of individuals and of States.

Our deliberations and our efforts to elaborate a compromise text have lasted for approximately seven years. This is clear evidence of the great importance of the issue. It is our belief — and, we think, that of other delegations — that this gave us sufficient time to discuss the valuable opinions put forward and the important proposals made during those years.

We welcome the fact that many of our delegation's views were specifically reflected in the Convention. However, we would have liked to see a clear provision in the text prohibiting the military forces of States from using nuclear weapons in the exercise of their duties. Such a prohibition would be in line with the high standards and strong values of

humankind and in keeping with the ruling of the International Court of Justice stipulating the impermissibility of the threat or use of nuclear weapons by States.

Nonetheless, we are pleased that the Convention stipulates, in its article 4, that it does not address the issue of the legality of the use or threat of use of nuclear weapons by States. We take this to mean that the door is still open for the States Members of the United Nations to conduct further deliberations on this important question in future.

Allow us to reiterate our appreciation to all of those delegations and representatives that participated in the process and spared no effort to ensure the completion of this Convention, especially the Chairman of the Ad Hoc Committee established by resolution 51/210, Mr. Rohan Perera, and the members of his Bureau. We would also like to reiterate our appreciation for the role played by the Russian Federation, which exerted great efforts in drafting and submitting the basic text of the Convention. We appreciate in particular the efforts made by the Minister for Foreign Affairs of the Russian Federation, Mr. Sergey Lavrov, during sensitive periods. Those efforts were crucial to our achieving consensus.

Syria has, over the past year, been a target of terrorism and its criminal practices. We would like to reaffirm here our willingness to cooperate with other countries to eliminate this dangerous scourge and to share with others our experience in combating terrorism.

We hope to resume in the near future our deliberations on the adoption of further measures to combat terrorism. In that context, Syria has ratified most anti-terrorism conventions. We wish to reaffirm the great interest that my country attaches to the Convention which was adopted a few minutes ago, which will assist us in our joint efforts to suppress terrorism in all its forms and manifestations.

Mr. Padukkage (Sri Lanka): The world is experiencing the unabated spread of terrorism. The emergence of non-State actors threatening the peace and security of nations and of the world at large continues to pose a complex challenge. In meeting that challenge, all nations have chosen the path of multilateralism. Sri Lanka, a country that has been affected by the scourge of terrorism for many years, joins the international community to unequivocally condemn terrorism in all its forms and manifestations.

The adoption today by consensus of the International Convention for the Suppression of Acts of Nuclear Terrorism constitutes an unequivocal commitment by the Assembly to address the scourge of terrorism through collective action. In 1979, the General Assembly, by its resolution 34/145, condemned terrorism per se for the first time. Again in 1994, the General Assembly, by adopting the Declaration on Measures to Eliminate International Terrorism, unequivocally condemned all acts and methods of terrorism as criminal and unjustifiable, wherever and by whomever committed. Today's action by the General Assembly is a further step forward in this long and arduous journey. It is also a clear manifestation of the pivotal role of the General Assembly in the process of the creation of international legal norms. The Convention supports the broad rationale that terrorist offenders who resort to nuclear terrorism should not find safe haven within the territory of Member States.

The Ad Hoc Committee established under resolution 51/210 in 1996 has now completed the negotiation of three international conventions on terrorism, namely the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism, and the International Convention for the Suppression of Acts of Nuclear Terrorism. Sri Lanka has been closely involved in the process since it began in 1996, first as Vice-Chairman of the Ad Hoc Committee on Terrorism, and thereafter, since 2000, as its Chairman. My delegation would like to thank all those delegations that have contributed constructively and re-energized the process that led to the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, after nearly seven years of intensive negotiations.

My delegation would also like to thank the sponsor of the Convention, the Russian Federation; the coordinator and Vice-Chairman, Mr. Albert Hoffman of South Africa; regional groups; and the delegation of Mexico for their valuable efforts towards the conclusion of the Convention. I also wish to extend our appreciation to the efforts of the Chairman of the Sixth Committee, Ambassador Bennouna of Morocco, who played a constructive role during the fifty-ninth session of the General Assembly in our collective efforts to reach a consensus. Equally important was the role of the Secretariat, in particular the officers of the Legal and Codification Divisions.

Our work is not yet complete. Although we have achieved significant progress on a draft comprehensive convention, there are still differences among delegations on certain key provisions. At this juncture, it is worth considering the several concluding observations of the coordinator of the draft convention in the oral report he delivered at the recently concluded session of the Ad Hoc Committee on terrorism with a view to making a breakthrough on the present impasse. Undoubtedly, the positions of various delegations need to be taken into account in negotiating a legal instrument, which involves issues of political and legal complexity. Nevertheless, we have to find a way to surmount the differences through collective efforts conducted in a spirit of cooperation and compromise. I can do no better than to quote the Secretary-General, who states in paragraph 91 of his report entitled "In larger freedom, towards development, security and human rights for all" (A/59/2005),

> "I believe this proposal has clear moral force, and I strongly urge world leaders to unite behind it and to conclude a comprehensive convention on terrorism before the end of the sixtieth session of the General Assembly".

We have to accept that challenge. The coming months leading to the high-level plenary meeting will provide us with a unique opportunity to engage in consultations on the outstanding issues. Once finalized through consensus, the convention will fill the legal vacuum that still exists in the anti-terrorism regime. There is no doubt that the work is complex, but it is achievable within the given time frame if the necessary political will is brought to bear. It is vital that we maintain the momentum and duly discharge the responsibilities of the Organization.

Mr. Frydenlund (Norway): Today marks an important step towards a more complete international regime for fighting international terrorism. As the Secretary-General clearly stated in paragraph 87 of his report entitled "In larger freedom" (A/59/2005),

> "Transnational networks of terrorist groups ... profess a desire to acquire nuclear, biological and chemical weapons and to inflict mass casualties. Even one such attack and the chain of events it might set off could change our world forever".

Today's adoption of the Convention for the Suppression of Acts of Nuclear Terrorism is of vital importance, as it will contribute to the denial of nuclear material to terrorists. We are one step further away from the scenario described by the Secretary-General in his report.

The need to ensure the protection of radioactive materials and to combat the proliferation of weapons of mass destruction is an objective Norway fully shares. It is one of the primary reasons for our long-standing cooperation with Russia, the United States and the European Union in ensuring that radioactive material in north-western Russia is disposed of in a safe and controlled manner. Terrorists must never get access to nuclear material.

Norway would like to express its hope that future debates on a draft comprehensive convention on international terrorism will be carried forward in a spirit of cooperation and compromise.

Norway would like to thank the Russian Federation for the initiative it began seven years ago of proposing a convention for the suppression of acts of nuclear terrorism and looks forward to continuing to work with all Member States in fighting international terrorism in all its forms.

Mrs. Ramos Rodríguez (Cuba) (*spoke in Spanish*): My delegation joined in the consensus adoption of the Convention for the Suppression of Acts of Nuclear Terrorism. However, we wish to note the following.

The Republic of Cuba declares that none of the provisions of the Convention for the Suppression of Acts of Nuclear Terrorism can be interpreted as encouragement or approval of the use or threat of use of force in international relations, which must in all circumstances be conducted strictly in accordance with the principles of international law and the purposes and principles of the Charter of the United Nations.

State terrorism has historically been a fundamental concern for Cuba. Its total eradication, through mutual respect, friendship and cooperation among States and full respect for sovereignty, territorial integrity, self-determination and non-interference in other States' internal affairs, must be a priority for the international community.

Thus, Cuba firmly believes that a State's wrongful use of its armed forces for the purpose of aggression against another State cannot be accepted in the light of the present Convention, whose aim is precisely to combat one of the most harmful phenomena our world faces today.

In the light of the foregoing, Cuba believes that nothing in the provisions of the Convention for the Suppression of Acts of Nuclear Terrorism can be interpreted as authorizing a State's armed forces to use nuclear weapons against another State.

We must conclude a universal, unconditional and legally binding instrument ensuring the security of States that do not possess nuclear weapons.

My country reaffirms its concern at the risks created by the link between terrorism and weapons of mass destruction and fully supports all legitimate international efforts to prevent terrorists from acquiring such weapons and their means of delivery.

Cuba also believes that the best way to ensure that weapons of mass destruction do not fall into the hands of terrorists is through the total prohibition and elimination of such weapons, in particular nuclear weapons, whose very existence constitutes a threat to international peace and security.

Mr. Dolatyar (Islamic Republic of Iran): Iran, a victim of terrorism, condemns the phenomenon of terrorism in all its forms and manifestations. Iran has suffered severely and immensely from the scourge of terrorism, including cross-border terrorism. Together with other members of the international community, the Islamic Republic of Iran has taken decisive measures to eliminate all forms and manifestations of international terrorism. In that spirit, we actively contributed to the proceedings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, with a view to enabling the Committee to finalize by consensus its work on a draft international convention for the suppression of acts of nuclear terrorism.

As a demonstration of its firm support for the struggle against international terrorism, my delegation joined the consensus in adopting resolution 59/290 and welcomes the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. We share the view that the adoption of the Convention by the General Assembly marks a major development in international legal provisions on the prevention and elimination of terrorism. The new legal instrument has an important role to play in preventing terrorist groups from gaining access to nuclear arms and materials.

However, I wish to explain the position of my delegation with regard to some shortcomings of the Convention. In our view, there are some shortcomings in the Convention, to which I would like to refer.

First, we would like to register our concern with regard to those parts of the Convention which grant exception from the scope of its application to the activities of military forces, namely, the thirteenth preambular paragraph and paragraph 2 of article 4. Paragraph 2 of article 4 stipulates that

> "the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention".

The phrase "in the exercise of their official duties" contained in that paragraph is vague and leaves room for a broader interpretation of the immunities of military forces than is provided for in general international law. That would make the bulk of activities by armed forces immune from the application of the Convention, even if such activities may amount to nuclear terrorism.

We are of the opinion that it is imprudent to include such an imprecise and politically compromised term in the Convention, which is assumed to be the basis for the prosecution and punishment of the culprits who commit such criminal acts. Therefore, the international community would have been safer and more secure if that exclusion of the activities of military forces were not in the scope of the Convention.

Secondly, as a member of the Non-Aligned Movement, I would like to underline our shared belief, as voiced loud and clear by the States members of the Movement at its ministerial conference in Durban in August 2004, that any attack or threat of attack against peaceful nuclear facilities, operational or under construction, poses a grave danger to human beings and the environment and constitutes a grave violation of international law, the purposes and principles of the United Nations Charter, and the regulations of the International Atomic Energy Agency. Undoubtedly, any such attempt would be a clear manifestation of nuclear terrorism.

Thirdly, as for the lacuna created by paragraph 4 of article 4 of the Convention, we would like to recall that the non-use of force or the non-threat of use of force in international relations is a Charter obligation of all Member States. Labelling the activities of the military forces of States as official duties cannot and should not be justified in any circumstances if such activities run counter to the provisions of the United

Nations Charter or established norms and principles of international law.

Fourthly, with respect to the twelfth preambular paragraph, we would like to underline that the adoption of effective and practical measures for the prevention of acts of nuclear terrorism, as envisaged in that paragraph, should be read in line with article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In other words, it should not be used in any manner as a pretext for restricting the inalienable right of all parties to the NPT to develop the research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with articles I, II and III of the NPT. In that regard, each country's choices and decisions in the field of the peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements to that effect.

We feel that it would have been more desirable for the contents of certain provisions of the Convention to be more precise. However, we hope that those and other shortcomings of existing legal instruments in the field of counter-terrorism will be sufficiently addressed in the course of the elaboration of the draft comprehensive convention on international terrorism.

Mr. Ascencio (Mexico) (*spoke in Spanish*): We have asked to speak in order to make additional comments in our national capacity.

Mexico welcomes the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. Throughout the negotiation process, my delegation underscored the importance of the General Assembly's being able to achieve concrete results on that issue, with a focus on prevention. The successful outcome of the negotiations is a clear demonstration of the firm will of States to overcome their differences in order to bring about a safer world. That is why we are convinced that today's results will be a necessary political catalyst for advancing the negotiations on the general convention and allow us, in the near future, to complete the universal legal framework in that field.

The delegation of Mexico reiterates the unswerving commitment of its Government to fighting terrorism in all its manifestations and in any cause whatsoever. With respect to the consolidation of the international legal regime in that area, my delegation stresses the importance of undertaking the negotiation of each instrument in the light of its specific area of material application, given that different acts of terrorism have their own particular characteristics.

The Convention that we have just adopted contains inventive formulas that allowed consensus to be achieved. Logically, however, they cannot automatically be translated to other instruments, but must be considered on their merits. Undoubtedly, the new instrument will substantively strengthen the international strategy in the fight against terrorism, particularly the legal framework constituted by the 12 conventions adopted by the United Nations.

We therefore welcome the successful conclusion of the preparation of the document and express our support for the ongoing strengthening of the international system.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 148?

It was so decided.

The meeting rose at 11.50 a.m.